

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,  
Plaintiff / Respondent.**

**v.**

**CRIMINAL NO. 99-256(PG)**

**MARGARITA FONSECA BERMUDEZ,  
Defendant / Petitioner.**

**UNITED STATES RESPONSE TO  
PETITIONER'S MOTION TO RE-VISIT HER CASE  
IN LIGHT OF FANFAN & BOOKER RULINGS**

**TO THE HONORABLE JUDGE:**

**COMES NOW**, the United States of America, through the undersigned attorney's and very respectfully states as follows:

1. Petitioner has filed a motion requesting this Honorable Court to re-visit her case in light of the Fanfan and Booker Rulings. Nevertheless, the defendant pled guilty pursuant to a plea agreement wherein she accepted the drug quantities she conspired to distribute and never objected to the then mandatory guidelines.

WHEREFORE, the United States submits that defendant's motion should be denied accordingly.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 4<sup>th</sup> day of May, 2005.

H.S. GARCIA  
United States Attorney

/s/ Sonia I. Torres  
Sonia I. Torres 209310  
Chief, Criminal Division  
Assistant U.S. Attorney  
United States Attorney's Office  
Suite 1201, Torre Chardon  
350 Chardon Street  
Hato Rey, Puerto Rico 00918  
Tel: (787) 766-5656

United States Response to  
Defendant's Motion to Visit Her Case  
In Light of Fanfan & Booker Rulings  
Criminal No. 99-256(PG)  
Page No. 2

Fax: (787) 766-6222

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was  
sent by regular mail to: **Margarita Fonseca-Bermudez**, Reg. No. #18157-069, F.C.C.

Coleman-Camp, P.O. Box 1027, Coleman, FL 33521-1027

/s/ Sonia I. Torres  
Sonia I. Torres